

Message Text

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ORIGIN L-03

INFO OCT-01 ARA-06 ISO-00 SS-15 SCA-01 INR-07 SSO-00

INRE-00 /033 R

DRAFTED BY L/M:LAHUMMER
APPROVED BY L/M:KEMALMBORG
L - MBFELDMAN (DRAFT)
ARA/CEN - DJOHNSON

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O 092117Z SEP 76
FM SECSTATE WASHDC
TO AMEMBASSY SAN JOSE IMMEDIATE

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STADIS//////////

E.O. 11652: GDS

TAGS: PFOR, PGOV, CS

SUBJECT: VESCO EXTRADITION: TRANSLATION OF INDICTMENT

REF: A) SAN JOSE 4118; B) SAN JOSE 4346

1. EMBASSY HAS BEEN INFORMED BY PHONE THAT DEPARTMENT HAS BEEN EXPERIENCING SOME RELUCTANCE ON PART OF JUSTICE TO COME UP WITH DECISION ON TRANSLATION OF INDICTMENT. SEQUENCE OF EVENTS AS THEY HAVE DEVELOPED IS SET FORTH BELOW:

A) WHEN REFTEL A RECEIVED, DEPARTMENT DETERMINED THAT COST OF TRANSLATION QUOTED REFTEL WAS LOWER THAN CHARGE FOR TRANSLATION IN DEPARTMENT, AND CALLED JUSTICE, MURRAY STEIN, TO RELAY THAT INFORMATION AND TO GET JUSTICE GO AHEAD. AT THIS POINT, STEIN INFORMED DEPARTMENT THAT HE DID NOT KNOW IF JUSTICE HAD EVER AUTHORIZED ANY EXPENSE RE STUDY OF VESCO EXTRADITION, AND THAT HE WOULD HAVE TO CHECK AND CALL US

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BACK.

B) DEPARTMENT OFFICER PROTESTED TO STEIN THAT THIS WAS PRE-
POSTEROUS IN VIEW OF AMBASSADOR'S MEETING WITH WALDMAN,
WHICH STEIN ATTENDED, AND IN VIEW OF JUSTICE LETTER TO
DEPARTMENT CONVEYING QUESTIONS TO BE GIVEN TO ORTIZ.

C) STEIN SUBSEQUENTLY RELAYED MESSAGE THAT, SINCE NEWS OF
GUIDICELLI OFFER TO TALK ABOUT VESCO, JUSTICE HAD DECIDED,
APPARENTLY SOMETIME IN WEEKS PRIOR TO RECEIPT OF REF A,
TO DEFER ANY ACTION ON VESCO STUDY. HOWEVER, THIS JUSTICE
"DECISION" HAD NEVER BEEN RELAYED TO US.

D) DEPUTY LEGAL ADVISER FELDMAN CALLED DEPUTY ASSISTANT
ATTORNEY GENERAL WALDMAN TO DISCUSS MATTER, AND HAS BEEN
TOLD BY WALDMAN THAT JUSTICE HAS DEFERRED ANY DECISION ON
VESCO PENDING INFORMATION RESULTING FROM CERTAIN "EXCITING
DEVELOPMENTS," AND THAT JUSTICE PLANS TO MAKE DECISION IN
10 DAYS OR 2 WEEKS AFTER REVIEWING DEBRIEFING OF "INFOR-
MANT". JUSTICE PREFERS TO PRESENT COMPREHENSIVE PROPOSAL
ON VESCO TO BUDGET PEOPLE AT JUSTICE RATHER THAN AUTHORIZE
TRANSLATION OR OTHER EXPENDITURES PEICEMEAL. WALDMAN HAS
NOT TOLD US WHAT THE "EXCITING DEVELOPMENTS" ARE, AND WE
HAVE NO WAY OF KNOWING WHETHER THEY REVOLVE AROUND
GUIDICELLI OR SOME OTHER DEA INFORMANT.

2. SINCE JUSTICE APPEARS TO BE INVOLVED IN A BUREAUCRATIC
TANGLE OF INDECISION, WE SEE LITTLE PROSPECT THAT MATTER
CAN BE RESOLVED PRIOR TO SEPTEMBER 20. WE SEE NO ALTERNA-
TIVE BUT TO TELL ORTIZ TO GO ON TO THE LEGAL CONVENTION IN
COLOMBIA AND TO SHELVES VESCO STUDY UNTIL CUMBERSOME BUDGET
PROCESS IN JUSTICE BUREAUCRACY HAS WORKED ITS COURSE. KISSINGER

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Message Attributes

Automatic Decaptoning: Z
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: EXTRADITION, FUND ALLOTMENT, INTERAGENCY COOPERATION
Control Number: n/a
Copy: SINGLE
Draft Date: 09 SEP 1976
Decaption Date: 28 MAY 2004
Decaption Note: 25 YEAR REVIEW
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976STATE223514
Document Source: CORE
Document Unique ID: 00
Drafter: LAHUMMER
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760341-0396
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760976/aaaacnej.tel
Line Count: 92
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: STADIS
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: STADIS
Reference: 76 SAN JOSE 4118, 76 SAN JOSE 4346
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 27 OCT 2004
Review Event:
Review Exemptions: n/a
Review History: WITHDRAWN <19 JUL 2004 by coburnhl, PRIVACY>; RELEASED <27 OCT 2004 by ElyME>; APPROVED <04 NOV 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: VESCO EXTRADITION: TRANSLATION OF INDICTMENT
TAGS: PFOR, PGOV, CS, US, (VESCO, ROBERT L)
To: SAN JOSE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006